

UNITED STATES DISTRICT COURT

FILED

for

WESTERN DISTRICT OF TEXAS

OCT 09 2015
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Christina Guevara Cardenas Case Number: SA-13-CR-0498(1) OG
Name of Sentencing Judicial Officer: Honorable Hayden Head, Senior United States District Judge
Date of Original Sentence: May 10, 2012
Original Offense: Conspiracy to Engage in Money Laundering, in violation of 18 U.S.C. §1956(a)(1)(A)(i) and (h)
Original Sentence: Eighty-Seven Months Imprisonment; Three Years Supervised Release; \$100.00 special assessment
Type of Supervision: Supervised Release Date Supervision Commenced: April 11, 2013
Assistant U.S. Attorney: Erica Benites Giese Defense Attorney: Crispin CJ Quintanilla, III

PREVIOUS COURT ACTION

On May 10, 2012, the Sentencing Court approved Order On Government's Motion to Reduce Sentence; amended sentence to 51 months imprisonment.

On June 14, 2013, Transfer of Jurisdiction to the Western District of Texas. Case assigned to the Honorable Orlando L. Garcia

On June 26, 2013, Probation Form 12B was signed by the Court modifying the conditions to include mental health treatment

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Ms. Cardenas submitted a sweat patch on September 8, 2015, which tested positive for Methamphetamine, Amphetamine and Opiates. Test results confirmed the presence of Methamphetamine, Amphetamine and Heroin.

Christina Guevara Cardenas

SA-13-CR-0498(1)-OG

October 5, 2015

Page 2

2. **The defendant shall submit to an evaluation for mental health counseling as directed by the Probation Officer, and if deemed necessary by the Probation Officer, the defendant shall participate in a mental health program approved by the Probation Officer. The defendant may be required to contribute to the cost of services rendered (copayment) in an amount to be determined by the Probation Officer, based upon the defendant's ability to pay.**

On September 14, 22, 25, and October 5, 2015, Ms. Cardenas missed scheduled treatment sessions at her co-occurring treatment program. In addition, she missed drug testing appointments on September 14, 18, 23, 24, and October 2, 2015.

3. **The defendant shall report to the Probation Officer and and shall submit a truthful and complete written report within the first five days of each month.**

Ms. Cardenas failed to report to the Probation Officer, as scheduled, for the month of August, 2015. Furthermore, she failed to submit her monthly report.

U.S. Probation Officer Recommendation:

Ms. Cardenas' term of supervised release commenced in the Western District of Texas, San Antonio Division. Shortly after commencing supervised release, the Court was informed that Ms. Cardenas was in need of a mental health condition. She had been receiving mental health treatment through the University Health System; however, she became complacent with treatment requirements and failed to renew her benefits with Care Link.

On September 9, 2015, a Probation Office Administrative Hearing was scheduled to address non-compliant behavior. Ms. Cardenas failed to keep scheduled office appointments with the Probation Officer during the months of July and August, 2015. Home visits were also conducted; however, Ms. Cardenas was seldom at home. Subsequently, home visits were scheduled with Ms. Cardenas to facilitate contact with her; however, she failed to be present in her home during those times. Ms. Cardenas' family members began contacting the Probation Officer to express concern that Ms. Cardenas was abusing illicit substances. In an effort to assist Ms. Cardenas, she was referred to a treatment program for co-occurring disorders. Ms. Cardenas has not fared well with treatment requirements as evidenced by the aforementioned violations. Her counselor reports that Ms. Cardenas is not motivated or engaged in treatment. She is repeatedly late for her appointments. She informs her counselor that she has no problems and is not in need of treatment. Ms. Cardenas continues to maintain she is not abusing illicit drugs, which is contrary to the positive drug test results she submitted.

Ms. Cardenas has not maintained employment since commencing supervised release. She is dependent upon her 21 year-old son and his girlfriend for financial support. She continues to miss scheduled office appointments with the Probation Officer, as well as her treatment provider. All evidence points to Ms. Cardenas abusing illicit substances.

Ms. Cardenas is a risk to herself and community at this time. In the interest of public safety, a recommendation for the issuance of a warrant is recommended.

Christina Guevara Cardenas
SA-13-CR-0498(1)-OG
October 5, 2015
Page 3

☒ The term of supervision should be

☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release, and payment of any unsatisfied monetary sanction previously imposed)

☐ extended for _____ years, for a total term of _____ years.

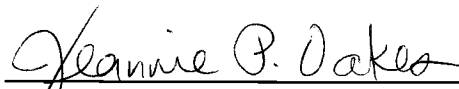
☐ The conditions of supervision should be modified as follows:

Approved:

Respectfully submitted,



Cynthia Mendiola
Supervising U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5311



Jeannie P. Oakes
U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5326
Date: October 5, 2015

cc: Erica Benites Giese
Assistant U.S. Attorney

Marc Martinez
Assistant Deputy Chief U.S. Probation Officer

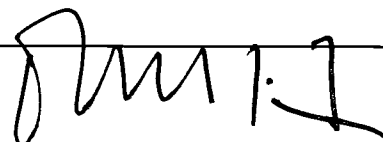
THE COURT ORDERS:

☐ No action.

☒ The issuance of a warrant.

☐ The issuance of a summons.

☐ Other _____



Honorable Orlando Garcia
U.S. District Judge

10.9.15

Date